

12:45:11 1 out of electronics at the node, correct?

45:14 2 A. I would not say generally available.

12:45:17 3 Q. What I want to talk about is two options, one
12:45:19 4 where the equipment is generally in place and one where
12:45:25 5 it isn't generally in place. Okay?

12:45:26 6 A. I know of no scenarios where the equipment is
12:45:31 7 generally in place at either the customer premise or our
12:45:35 8 central office.

12:45:35 9 Q. So you know no case working with Qwest or any
12:45:41 10 other customer over 12 years when their request for a
12:45:42 11 circuit has already had the fiber along the relevant
12:45:51 12 path or the equipment already located at the nodes?

12:45:56 13 A. We were talking OC-48s, and I do not know of
12:46:01 14 anywhere we have had the equipment at the customer
12:46:06 15 premise and at the COs that are requested.

12:46:09 16 Q. Okay. We are obviously talking -- I used an
12:46:13 17 OC-48 as an example they put in to us, but we are
12:46:16 18 talking about general procedures now as the order goes
12:46:19 19 through SWBT.

12:46:20 20 A. What type of order?

12:46:22 21 Q. An order for a special access circuit made by
12:46:25 22 one of your customers.

12:46:26 23 A. What type of circuit, I mean?

12:46:29 24 Q. Anything they would go through you for.

46:32 25 A. Like I said, they come through me for the

12:46:35 1 OC-48s --

46:36 2 Q. SONET rings, you said DS1s.

12:46:40 3 A. No, they don't come through me. Those orders
12:46:43 4 go through the access service center. Those orders are
5 placed with the access service center.

12:46:50 6 Q. But even the orders that go through the access
12:46:53 7 service center you're involved with, aren't you?

12:46:56 8 A. Only if it -- facilities are not available for
12:47:01 9 DS3 and for an OCN circuit, OC-3 or OC-12 that's ordered
12:47:09 10 in SWBT territory.

12:47:10 11 Q. Is it fair to say that if they want a simple
12:47:12 12 DS1, they put it into the access service center. If the
12:47:16 13 access service center can go ahead and provision it,
12:47:20 14 like a DS1 they typically can, nobody even needs to tell
12:47:23 15 you about it, right?

12:47:24 16 A. That's correct.

12:47:25 17 Q. Do they copy you on that ASR request for the
12:47:28 18 ASC?

12:47:28 19 A. No.

12:47:29 20 Q. And that's talking about a DS1, right?

12:47:31 21 A. Yes.

12:47:31 22 Q. On larger circuits they will copy you, though,
12:47:35 23 won't they?

12:47:35 24 A. Only on a DS3 that no facilities are available
47:39 25 or an OCN.

12:47:42 1 Q. So any DS3 that's not readily available and
 47:52 2 every OCN circuit, the access service center will
 12:47:56 3 involve you in the customer's order?
 12:47:59 4 A. Yes, for Qwest.
 12:48:01 5 Q. For Qwest.
 12:48:02 6 And on those orders for general circuits
 12:48:13 7 like that that are not readily available, are DS1s the
 12:48:19 8 only circuit that are readily available most of the
 12:48:21 9 time?
 12:48:22 10 A. I'm not involved in all the DS1s. I mean --
 12:48:27 11 Q. Most DS1s get handled without your
 12:48:31 12 involvement, correct?
 12:48:32 13 A. Yes.
 12:48:32 14 Q. And that's because the access service center
 12:48:35 15 does not need NSS involvement, because they can handle
 12:48:41 16 the circuit based on currently available facilities,
 12:48:44 17 correct?
 12:48:47 18 A. I know I'm not involved in the DS1
 12:48:50 19 provisioning.
 12:48:50 20 Q. If they need facilities, they'll involve you,
 12:48:54 21 correct?
 12:48:56 22 A. On DS3 and above.
 12:48:57 23 Q. Right. So the vast majority of DS3s and OCN
 12:49:03 24 circuits, some facility change is required?
 12:49:06 25 A. Some equipment is required.

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12:49:08 1 Q. Some equipment is required, correct?

49:12 2 A. Some -- yes.

12:49:13 3 Q. Do I understand that right?

12:49:15 4 A. Yes. Some equipment is required if it comes

12:49:19 5 to me.

12:49:19 6 Q. And when you say equipment, what do you mean?

12:49:21 7 A. It could be either a fiber terminal located at

12:49:24 8 the customer premise, it could be fiber not available,

12:49:28 9 or it could be both.

12:49:30 10 Q. Or a fiber terminal at the CO?

12:49:33 11 A. It could be a fiber terminal at the CO not

12:49:37 12 available.

12:49:38 13 Q. Could it be something as simple as swapping

12:49:41 14 out electronics, like we were talking about before?

12:49:47 15 A. It could be a reconfiguration required, could

12:49:51 16 be a circumstance.

12:49:52 17 Q. At either the customer prem or the CO,

12:49:56 18 correct?

12:49:57 19 A. Yes.

12:49:57 20 Q. Now, lack of fiber availability, how does that

12:50:01 21 normally happen?

12:50:03 22 A. If the -- if my customer orders a DS3 or an

12:50:07 23 OCN service to an end user that does not have fiber to

12:50:15 24 that location, then fiber is not available and so I

50:18 25 would have to submit a WALRSS case to get an order to do

12:50:27 1 it.

12:50:28 2 Q. So if fiber is not at a customer prem that

12:50:31 3 your customer wants to go to, you'll submit a WALRSS

12:50:34 4 case to actually see if it makes sense to build out to

12:50:38 5 that point, correct?

12:50:38 6 A. Correct.

12:50:39 7 Q. Put fiber in the ground or on an aerial basis

12:50:43 8 to that building?

12:50:44 9 A. To the customer location.

12:50:46 10 Q. Is that right?

12:50:47 11 A. Fiber to the customer location.

12:50:49 12 Q. Right.

12:50:49 13 A. Yes.

12:50:50 14 Q. Okay. Does that happen very often?

12:50:59 15 A. I don't know percentagewise, but it does

12:51:02 16 happen.

12:51:02 17 Q. I mean, does it -- is it more likely that

12:51:06 18 you'll have fiber where you need it or more likely that

12:51:09 19 you won't have fiber where you need it based on the

12:51:12 20 number of orders that you have?

12:51:16 21 A. The -- because DS3s are provisioned over fiber

12:51:26 22 and if I do not get a case on that, then the electronics

12:51:33 23 are available to provision the DS3 are available.

12:51:36 24 Q. I'm sorry. I -- my question was out of the

51:40 25 orders you get, is most of the time fiber available or

12:51:46 1 is most of the time fiber unavailable?

51:48 2 A. Well, since they're not ordering fiber, the
12:51:51 3 service is available. I would say the service that they
12:51:56 4 have ordered is available, not fiber.

12:51:58 5 Q. And I'm talking about service that's ordered
12:52:01 6 by customers that requires fiber.

12:52:03 7 A. Like I said, we provision -- in the industry
12:52:06 8 markets, we provide services, so I mean, if the service
12:52:12 9 is available, however it's provisioned, if it's
12:52:17 10 provisioned over fiber, which is what I deal with --

12:52:19 11 Q. Right. Let me -- let's be clear. For those
12:52:22 12 orders you receive for lit circuits that need to travel
12:52:27 13 over fiber, is the majority of the time fiber available
12:52:32 14 to carry that service or is the majority of the time
12:52:35 15 fiber not available to carry that service?

12:52:37 16 A. What do you consider lit service?

12:52:41 17 Q. Any of the circuits you sell. You don't sell
12:52:44 18 dark fiber, do you?

12:52:45 19 A. No, I don't.

12:52:47 20 Q. Okay. What do you consider lit service?

12:52:51 21 A. I don't know what a -- I don't have a
12:52:54 22 definition of a lit service. I have DS3, OCN point to
12:52:58 23 point, SONET rings.

12:53:00 24 Q. They want those circuits lit when they order
53:02 25 those, don't they?

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12:53:03 1 A. I don't use the terminology lit. I mean --

12:53:06 2 Q. You're assuming that they're working circuits,
12:53:09 3 right?

12:53:11 4 A. If the -- if I do not get involved in an
12:53:15 5 order, a service request for a service, then the
12:53:20 6 facilities are available for that service.

12:53:25 7 Q. Right. And so let's go back to my question.
12:53:29 8 For the orders that you receive from your customers that
12:53:33 9 require fiber for that circuit, the majority of the time
12:53:37 10 is fiber available for those orders or is the majority
12:53:41 11 of the time fiber not available for those orders?

12:53:49 12 A. I guess we are talking semantics, because DS3s
12:53:53 13 require fibers and I don't know how many DS3 orders go
12:53:56 14 through the process, so I would assume that a majority
12:54:01 15 of the DS3s are available and the OCN circuits that I
12:54:07 16 get involved with fiber is not available.

12:54:10 17 Q. So the majority of time a fiber OCN circuit is
12:54:17 18 ordered from you, fiber is not available?

12:54:19 19 A. That is correct.

12:54:20 20 Q. So in those instances you submit a WALRSS case
12:54:23 21 to NSS, which would require NSS to see whether it's cost
12:54:31 22 justified under SWBT's procedures to build that
12:54:36 23 additional fiber?

12:54:37 24 A. Yes.

12:54:51 25 Q. Now, if the access service center can

12:54:57 1 provision Qwest's order without swapping out electronics
55:01 2 or building additional equipment or ordering additional
12:55:05 3 equipment and putting it in service, they don't need to
12:55:09 4 bring you into things, right?

12:55:10 5 A. That is correct.

12:55:11 6 Q. But you said other than for DS1s, maybe, the
12:55:18 7 majority of the cases something is needed, some
12:55:20 8 equipment is needed, some change in electronics is
12:55:25 9 needed, or some fiber is needed that isn't in existence,
12:55:29 10 correct?

12:55:29 11 A. Would you repeat the question?

12:55:30 12 Q. Other than for DS1s, if I understand you
12:55:36 13 correct, you've said the majority of the time there is
12:55:39 14 something needed for the customer's order, some piece of
12:55:44 15 equipment or configuration that doesn't exist that
12:55:46 16 requires you to put a request in through the WALRSS
12:55:50 17 system to NSS?

12:55:51 18 A. I believe I was speaking of DS3s that were
12:55:54 19 ordered by Qwest that we have facilities, on a majority
12:56:00 20 of the cases the facilities are in place, no
12:56:06 21 reconfiguration is required. DS1s, I do not get
12:56:10 22 involved with those.

12:56:11 23 Q. Because they issue automatically, right, for
12:56:14 24 the most part?

56:15 25 A. Yes.

12:56:16 1 MR. HARTLEY: Object, form.

12:56:17 2 A. They are a desired due date in Southwestern

12:56:21 3 Bell territory.

12:56:21 4 Q. And then for the majority of DS3s, some

12:56:25 5 reconfiguration of SWBT's network or ordering of

12:56:28 6 equipment is required?

12:56:30 7 A. Yes.

12:56:57 8 Q. And you've already testified that for almost

12:57:01 9 all the OCN level requests you receive from Qwest, some

12:57:07 10 reconfiguration of the network is required, either on an

12:57:10 11 equipment ordering basis or fiber build basis?

12:57:14 12 A. I'm not sure if reconfiguration is required on

12:57:18 13 them on a majority of the cases. What happens in the

12:57:23 14 WALRSS case, the NSS gets with the design group and the

12:57:29 15 network engineering groups and determines how to provide

12:57:33 16 the service, and it's their choice on if reconfiguration

12:57:39 17 is required. I don't know -- all I get -- I get a

12:57:43 18 serving plan.

12:57:45 19 Q. The majority of your OCN service requests from

12:57:51 20 Qwest require you to submit a WALRSS entry to NSS,

12:57:57 21 correct?

12:57:58 22 A. All of the OCN.

12:58:03 23 Q. All of the OCN. And how many of those come

12:58:10 24 back with an approval because no reconfiguration of the

12:58:13 25 network is required?

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12:58:22 1 A. As I've said before, I don't know if they
58:24 2 reconfigure or not. I get back a notice -- notification
12:58:29 3 from the NSS saying it's a 90-day interval and this is
12:58:34 4 the capital costs and whether it's funded or not funded.
12:58:38 5 It notes our funding criteria. So I do not know if
12:58:42 6 it's -- reconfiguration is a consideration or not.
12:58:45 7 Q. Do you ever get one back as zero capital
12:58:49 8 costs?
12:58:49 9 A. No, not on OCNs.
12:58:51 10 Q. Is that because some capital is always
12:58:56 11 required to be expended for an OCN circuit?
12:59:00 12 A. I'm not sure what criteria they use when they
12:59:03 13 give me what the capital requirements are.
12:59:12 14 Q. So after you've sent a response to the NSS,
12:59:16 15 you get a response back, and does it either say yes or
12:59:20 16 no on it, and then it has additional information if it's
12:59:25 17 a yes?
12:59:26 18 A. It will --
12:59:28 19 Q. How does that work?
12:59:29 20 A. I will get a response back on basically what
12:59:33 21 the capital investment is, whether it's funded or not,
12:59:37 22 and the interval required to provide the service.
12:59:41 23 Q. What does funded mean?
12:59:43 24 A. That it meets our capital requirements, our
59:47 25 payback.

12:59:47 1 Q. So it will say yes or no?

12:59:50 2 A. Funded or not funded.

12:59:52 3 Q. Right. Funded means we are going to -- that

12:59:55 4 it's profitable for us to go ahead and make -- expend

12:59:59 5 this capital?

12:59:59 6 A. If the customer wants to continue with the

13:00:01 7 stated interval.

13:00:03 8 Q. Right. And unfunded means -- or non-funded

13:00:07 9 means there's not enough payback to do this build?

13:00:11 10 A. Correct. It does not make economic sense.

13:00:15 11 Q. Okay. So I presume that you have to tell

13:00:17 12 WALRSS -- you have to tell the NSS through the WALRSS

13:00:21 13 entry how much money SWBT is going to be making off the

13:00:24 14 circuit?

13:00:25 15 A. Right. I have to provide the tariff rates

13:00:27 16 with what the annual rates are.

13:00:30 17 Q. How does NSS make their decision, do you know?

13:00:34 18 A. They look at what the capital cost is versus

13:00:38 19 what the revenues are, and there's a monthly payback.

13:00:48 20 Q. Okay. How do they find out if facilities are

13:00:50 21 available? How does the NSS find that out?

13:00:56 22 A. They go to the network departments.

13:01:01 23 Q. What do you mean network departments?

13:01:04 24 A. Well, you have --

13:01:05 25 Q. Who do they go to?

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13:01:07 1 A. The transport engineers, the equipment
 01:09 2 engineers, the outside plant engineers. They have to
 13:01:21 3 decide --
 13:01:22 4 Q. Is there a transport engineer and an outside
 13:01:26 5 plant engineer for each CO?
 13:01:27 6 A. I'm not sure what their -- how their network
 13:01:31 7 organization is divided up.
 13:01:33 8 Q. But they would go to the relevant engineer for
 13:01:36 9 that region where the facilities are being requested?
 13:01:38 10 A. Yes.
 13:01:43 11 Q. And the engineers would be able to tell them
 13:01:46 12 whether the facilities being requested are already
 13:01:50 13 available or not available?
 13:01:51 14 A. Yes.
 13:02:02 15 Q. Okay. How many of these WALRSS cases -- how
 13:02:05 16 often do you send a WALRSS case to NSS?
 13:02:10 17 A. An average of one or two a week.
 13:02:13 18 Q. And how long until they shoot it back to you?
 13:02:16 19 A. I have to give them -- I give them two weeks
 13:02:20 20 to respond.
 13:02:21 21 Q. What's the average response time they actually
 13:02:23 22 send it back in?
 13:02:24 23 A. Usually within a week.
 13:02:31 24 Q. Are you saying five days, seven days?
 02:34 25 A. Five days.

13:02:35 1 Q. So NSS doesn't respond to you for five days;
 02:38 2 that's your testimony here today, sir?
 13:02:41 3 A. On an average they respond within five days.
 13:02:46 4 Q. So when you send a WALRSS case for a requested
 13:02:51 5 circuit, you're saying they don't give you any personal
 13:02:55 6 feedback or respond back, funded or non-funded, or any
 13:03:00 7 other electronic feedback for five working days?
 13:03:03 8 A. I said up to five. I mean, sometimes I get it
 13:03:06 9 in two. Sometimes it's --
 13:03:08 10 Q. Sometimes you get it in 24 hours, don't you?
 13:03:11 11 A. Very seldom.
 13:03:12 12 Q. It happens, doesn't it? These are all records
 13:03:15 13 we can check, Mr. Cunningham.
 13:03:17 14 A. Sure. It has happened.
 13:03:19 15 Q. It does happen, you get -- on a regular basis
 13:03:22 16 account managers get back responses from the NSS within
 13:03:25 17 24 hours; isn't that correct?
 13:03:27 18 MR. HARTLEY: Object, form.
 13:03:29 19 A. I said on my responses to my accounts are
 13:03:33 20 within five days.
 13:03:34 21 Q. That doesn't tell me -- within five days can
 13:03:38 22 be from one minute to five days. What is the average
 13:03:42 23 return -- if I go look at your records and pulled the
 13:03:46 24 electronic data sheets on when you sent the WALRSS and
 03:49 25 when it came back to you, what's it going to show as an

13:03:53 1 average response time from the NSS?

03:56 2 A. I would say anywhere from two to five days.

13:03:58 3 Q. Is the average?

13:03:59 4 A. Is the average.

13:04:00 5 Q. And you get some within 24 hours, don't you?

13:04:04 6 A. I have on occasion gotten response within 24

13:04:06 7 hours.

13:04:26 8 Q. Qwest works in a certain region, right? Are

13:04:31 9 they officed in Dallas?

13:04:32 10 A. No, they're nationwide.

13:04:34 11 Q. Nationwide, but in terms of what you help them

13:04:37 12 with, you handle all of the SWBT region plus parts out

13:04:42 13 in California and Nevada, right?

13:04:44 14 A. Yes.

13:04:45 15 Q. I assume you can also pick up the phone and

13:04:47 16 call the engineer or the NSS direct and talk to them

13:04:50 17 about it?

13:04:51 18 A. I could. I mean --

13:04:54 19 Q. You do that?

13:04:55 20 A. In response to what question?

13:04:56 21 Q. If you want to find out about the availability

13:04:58 22 of some certain facilities, you can pick up the phone

13:05:03 23 and call an NSS person or an engineer and talk to them

13:05:06 24 about it, right? It's faster than using WALRSS, isn't

05:11 25 it?

13:05:12 1 A. But I use WALRSS. That is what I use. I
05:15 2 don't call the engineers.

13:05:16 3 Q. Have you ever talked to an engineer to find
13:05:18 4 out whether or not facilities are available?

13:05:19 5 A. No.

13:05:20 6 Q. Have you ever talked to an NSS person on the
13:05:22 7 phone or directly regarding whether or not facilities
13:05:25 8 are available?

13:05:26 9 A. No.

13:05:29 10 Q. Have you ever talked to an engineer or NSS
13:05:32 11 person to determine -- to ask them questions about
13:05:39 12 future facilities for a customer?

13:05:42 13 A. No.

13:05:44 14 Q. Never have? Never talked to them?

13:05:46 15 A. I talked to them via responses to the WALRSS
13:05:50 16 cases that I issued.

13:05:51 17 Q. So you never had a spoken word is your
13:05:57 18 testimony here today with an NSS person or an engineer?

13:06:01 19 A. I can't say I've never spoken to them. I do
13:06:03 20 talk to them about projects that we have.

13:06:05 21 Q. Projects for whom?

13:06:06 22 A. For Qwest. I have multiple projects going on.

13:06:10 23 Q. And what do you ask them?

13:06:12 24 A. The status of the current projects.

13:06:16 25 Q. And how the facilities are coming along?

13:06:20 1 A. Well --

06:22 2 Q. When is it going to be done?

13:06:25 3 A. Right. We have a project manager that's

13:06:29 4 assigned after the case has been sold for a DS3, for

13:06:34 5 example. I submit the WALRSS case, get a response back

13:06:38 6 that it's funded. Qwest agrees to the interval. We

13:06:41 7 have a kickoff meeting to determine what the exact

13:06:45 8 interval is for the service that's been requested. We

13:06:50 9 will have meetings internally with the engineers and the

13:06:54 10 network NSS people and discuss that project and verify

13:07:02 11 that it's still on schedule on the timeline that's been

13:07:06 12 established at the kickoff meeting, and if there's any

13:07:09 13 change in the timeline, we reconvene with another

07:13 14 conference call.

13:07:13 15 Q. Do you talk to a project manager to get your

13:07:16 16 update?

13:07:16 17 A. Yes.

13:07:17 18 Q. And that's a network engineering project

13:07:19 19 manager, right?

13:07:20 20 A. With the project management group.

13:07:22 21 Q. Are they in network engineering?

13:07:24 22 A. I'm not sure what the lines of organization

13:07:26 23 are.

13:07:27 24 Q. But they're more engineering than they are

07:29 25 sales, right?

13:07:30 1 A. Yes.

13:07:30 2 Q. And you can pick up the phone and talk to your
13:07:33 3 project manager at any point during the project, right,
13:07:36 4 if you want to?

13:07:37 5 A. Yes.

13:07:37 6 Q. And you can say, what's our estimated
13:07:40 7 completion date as of today? You could ask them that if
13:07:43 8 you wanted to, right?

13:07:44 9 A. Yes.

13:07:45 10 Q. And you do talk to them at times throughout
13:07:48 11 the project to get updates, right?

13:07:50 12 A. Yes, I do.

13:07:51 13 Q. And then you forward those updates to your
13:07:54 14 customer, don't you?

13:07:55 15 A. Yes.

13:07:55 16 Q. Does a customer want updates or do you just
13:07:57 17 give them information they don't want?

13:07:59 18 A. No. The customer wants to know the status of
13:08:02 19 their orders that they placed with us.

13:08:03 20 Q. They want to know whether it's going to be
13:08:05 21 turned up in May or June or July, don't they?

13:08:09 22 A. We have already given them a due date for the
13:08:10 23 order.

13:08:11 24 Q. Right, but they want to know whether it's
08:12 25 going to be that far or earlier, right? They don't want

13:08:15 1 you to surprise them a month early and say, aha, we
08:19 2 turned it up a month early and they're not ready to take
13:08:25 3 it, are they?

13:08:25 4 A. That is correct.

13:08:26 5 Q. They want to know in a ballpark range when
13:08:29 6 that circuit is going up?

13:08:31 7 A. Like I say, at the kickoff meeting we
13:08:34 8 establish an interval and I get with customer to verify
13:08:37 9 that they will accept the interval and what the
13:08:39 10 projected due date is, and we change the due date on the
13:08:43 11 order to that due date so the customer knows what the
13:08:45 12 due date is.

13:08:48 13 Q. Does your -- do you have project managers that
13:08:51 14 will just call you and give you updates?

13:08:55 15 A. If there is a potential problem or the project
13:09:00 16 is in jeopardy, yes.

13:09:03 17 Q. What if it's going better than planned?

13:09:08 18 A. They would call and advise that we could move
13:09:15 19 this due date up.

13:09:17 20 Q. Back on getting your WALRSS back from NSS.

13:09:22 21 You said two to five days. What percentage is two days?

13:09:29 22 A. I would probably say 50 percent for the DS3
13:09:33 23 cases.

13:09:34 24 Q. Okay. So for DS3, 50 percent you'll get back
09:37 25 in two days?

13:09:38 1 A. Yes.

09:40 2 Q. And how many in three days? Another what

13:09:50 3 percent?

13:09:51 4 A. 10 percent.

13:09:54 5 Q. In four and five?

13:09:57 6 A. Maybe another 10 percent.

13:10:01 7 Q. That gives us 80 percent.

13:10:03 8 A. Like I said, the average is two to five days.

13:10:05 9 Q. Another 20 percent just take a lot longer?

13:10:07 10 A. Yes.

13:10:08 11 Q. So about half you get in two days from NSS for

13:10:11 12 the DS3s?

13:10:12 13 A. For DS3s, yes.

13:10:14 14 Q. What about the OCN?

13:10:15 15 A. Those are typically longer intervals. Those

13:10:18 16 are the five to -- and beyond.

13:10:31 17 Q. When they've got your WALRSS request, there's

13:10:35 18 a couple of things they're doing, right? One is they're

13:10:38 19 checking to see if facilities are there right now,

13:10:40 20 right?

13:10:41 21 A. Well, it's -- when I -- yes.

13:10:43 22 Q. And the secondly, if they're not, which

13:10:46 23 happens very frequently to your point, then they have to

13:10:50 24 do this cost analysis, correct?

13:10:52 25 A. Once they get the cost in from the -- their

13:10:54 1 network contacts.

10:56 2 Q. Right. Which of those two takes longer?

13:11:00 3 A. I don't know what their -- which -- I have no
13:11:06 4 idea which one takes longer.

13:11:08 5 Q. You've talked to network engineers and OSP
13:11:11 6 engineers, right, before in your life?

13:11:12 7 A. Yes.

13:11:13 8 Q. The reality is they know in their heads what
13:11:17 9 facilities they have in their CO area, right?

13:11:22 10 A. Well --

13:11:23 11 Q. For the most part?

13:11:24 12 A. They would know their territory.

13:11:26 13 Q. They know if a building is on-line, certainly,
13:11:30 14 with fiber, don't they?

13:11:31 15 A. The outside plant engineer would know if fiber
13:11:34 16 was available to the building.

13:11:35 17 Q. Almost always just off the top of their head,
13:11:38 18 because that's a big deal.

13:11:40 19 A. I would suspect so.

13:11:42 20 Q. Okay. So what I want to be clear about, it
13:11:45 21 seems to me that if you're getting delayed in your

13:11:49 22 WALRSS response, the odds are it's not so much in them

13:11:53 23 determining whether the facilities are available. It's

13:11:55 24 really them figuring out their cost analysis, whether or
13:11:58 25 not it's cost justified to move forward, right?

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13:12:02 1 MR. HARTLEY: Object to form.

12:08 2 A. Restate the question.

13:12:09 3 Q. If the WALRSS response is getting delayed to
13:12:13 4 you, do you think is more likely because it's taking
13:12:17 5 longer to find out if the facilities are available or if
13:12:21 6 it's taking longer to get the cost information to figure
13:12:24 7 out if the build is cost justified?

13:12:26 8 MR. HARTLEY: Object to form.

13:12:29 9 A. Can I take a quick break?

13:12:34 10 Q. If you need to.

13:12:38 11 A. Just to --

13:12:42 12 Q. I don't know that you can talk to your
13:12:43 13 attorney about that.

13:12:52 14 (Recess 1:12 to 1:25 p.m.)

13:25:29 15 (Record read.)

13:25:29 16 A. I would say that it's more determining what
13:25:31 17 the costs are to do the service. There's multiple
13:25:35 18 groups that are involved in determining what the costs
13:25:38 19 are to provide the service, and they have other job
13:25:43 20 responsibilities other than just answering the WALRSS
13:25:47 21 cases.

13:25:52 22 Q. What's your rough guess in terms of the other
13:25:55 23 side of the equation in terms of how long it takes them
13:26:00 24 just to do the facility check part?

26:02 25 A. In relation to what type of facility check?

13:26:05 1 Q. Either DS3 or OCN.

26:09 2 A. On the ones that I don't see, I mean, they

13:26:12 3 have --

13:26:13 4 Q. The ones that you process through WALRSS.

13:26:17 5 A. I would say a majority is to determine if

13:26:20 6 facilities are available or what's required to provide

13:26:24 7 facilities with service --

13:26:27 8 Q. Well --

13:26:28 9 A. -- as opposed to the cost justification.

13:26:30 10 Q. Maybe I'm being confusing here. If you put an

13:26:35 11 OCN request through the WALRSS system to NSS, how long

13:26:40 12 do you think it takes them to determine whether or not

13:26:43 13 facilities are actually available?

13:26:45 14 A. That can depend on workload of each of the

13:26:51 15 departments that are responding.

13:26:52 16 Q. Just the facilities part, not the cost

13:26:56 17 justification part.

13:26:56 18 A. Right. I mean, it's dependent on each of the

13:27:00 19 work groups that are involved.

13:27:01 20 Q. Which work groups are involved?

13:27:04 21 A. The transport engineers, the equipment

13:27:06 22 engineers, the outside plant engineers.

13:27:09 23 Q. Well, on a simple issue of whether or not

13:27:11 24 fiber has been deployed to a certain point.

27:13 25 A. We also have to add electronics in the central

13:27:17 1 office to determine how we can design the circuit, so
13:27:19 2 the equipment engineers have to also be involved.

13:27:41 3 Q. But on at least approximately half of those
13:27:46 4 orders that you put through the WALRSS system, they're
13:27:50 5 getting back to you within about two business days?

13:27:52 6 A. On the DS3s.

13:27:53 7 Q. On the DS3s. Now, for some -- let's change
13:28:19 8 our focus a little bit to the tools you have at hand to
13:28:23 9 determine facilities available. If a customer wants to
13:28:28 10 know whether or not a certain facility -- what's the
13:28:31 11 facility status or what does it have at its customer
13:28:36 12 prem or what's deployed along a given route, what tools
13:28:42 13 do you have to determine what facilities are available?

13:28:51 14 A. You want to know what tools I have available
13:28:54 15 to look at other customers' facilities or my customer's
13:29:01 16 facilities?

13:29:02 17 Q. Whoever would be talking to you. Would that
13:29:05 18 be only your customer?

13:29:07 19 A. I only deal with Qwest.

13:29:10 20 Q. Okay. If Qwest is talking to you about a
13:29:14 21 future order, right, they want to learn about what
13:29:18 22 facilities are available because they may want to place
13:29:21 23 an order.

13:29:21 24 A. Okay.

13:29:26 25 Q. You know, so they're asking about facilities

13:29:29 1 at their premise. Obviously they're asking about SWBT
13:29:32 2 owned facilities, right?

13:29:34 3 A. Yes.

13:29:35 4 Q. And SWBT owned facilities at their premises,
13:29:39 5 SWBT owned facilities in the field, SWBT owned
13:29:42 6 facilities in the CO or some other relevant node, what
13:29:47 7 tools do you have available to you to provide that
13:29:56 8 information to this company that's talking to you about
13:29:59 9 a future order?

13:30:01 10 A. Well, I would provide Qwest -- I have an
13:30:04 11 inventory of what services that they've bought from
13:30:08 12 Southwestern Bell to know what they have capacity-wise
13:30:11 13 at their location. To look at getting to another end
13:30:17 14 user that they're trying to order to in the future, I
13:30:20 15 would have to -- I would do a facility check.

13:30:24 16 Q. When you say a facility check, what do you
13:30:26 17 mean?

13:30:26 18 A. I would submit a WALRSS case as an inquiry,
13:30:32 19 not as an order.

13:30:33 20 Q. So WALRSS can be an order or an inquiry?

13:30:36 21 A. Yes.

13:30:36 22 Q. So if Qwest wants to go to a level 3 POP from
13:30:42 23 say -- or Williams or whoever else they want to go to,
13:30:46 24 they need to figure out whether or not facilities are
13:30:50 25 there for them to achieve that circuit, you would use

13:30:53 1 the facility check -- use WALRSS inquiry as a facility
13:30:57 2 check?

13:30:57 3 A. Yes.

13:30:58 4 Q. And what does NSS tell you back on something
13:31:02 5 like that?

13:31:02 6 A. They would give the costing and the interval
13:31:06 7 and whether it would be funded or not.

13:31:08 8 Q. And what would be -- give me an example of
13:31:12 9 what Qwest might be asking about that other POP, you
13:31:21 10 know, can it handle a DS3, something like that?

13:31:25 11 A. They would want to know at their POP, which
13:31:30 12 they -- I provide them a utilization report of what
13:31:33 13 they've ordered, how many DS3s are working versus how
13:31:39 14 many are spare. I provide that at their request on what
13:31:43 15 capacity they have drops at their location.

13:31:46 16 Q. Okay.

13:31:46 17 A. For their customer dedicated facilities. If
13:31:51 18 they're ordering to a Williams or a level 3, they would
13:31:56 19 tell me they want to go from -- which POP they want to
13:32:00 20 go to.

13:32:01 21 Q. Uh-huh.

13:32:01 22 A. Which facility they want to use of theirs and
13:32:04 23 then what location the Z location is and who the
13:32:08 24 customer is at the Z location.

13:32:10 25 Q. And the A to Z is just the start and end point